

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

MCOM IP, LLC,)	
Plaintiff,)	
)	Civil Action No. 6:21-cv-00196-ADA
v.)	
)	
CSI, INC.)	JURY TRIAL DEMANDED
Defendant.)	

CASE READINESS STATUS REPORT

Plaintiff, MCOM IP, LLC (“MCOM” or “Plaintiff”) and Defendant CSI, INC. (“CSI” or “Defendant”) hereby provide the following status report in advance of the initial Case Management Conference (CMC).

FILING AND EXTENSIONS

Plaintiff’s Complaint was filed on March 2, 2021, ECF No. 1 and Plaintiff filed its First Amended Complaint on August 9, 2021, ECF No. 14. Defendant was granted an extension of time until June 18, 2021 to respond to the Complaint. ECF No. 8 and May 18, 2021 Text Order. Plaintiff was granted an extension of time until August 13, 2021 to respond to Defendant’s Motion to Dismiss or in the Alternative, Transfer. August 14, 2021 Text Order.

RESPONSE TO THE COMPLAINT

CSI has not filed an answer.

PENDING MOTIONS

CSI filed a Motion to Dismiss for Failure to State a Claim or in the Alternative, Transfer, on June 18, 2021, ECF No. 11. Plaintiff filed its First Amended Complaint on August 9, 2021, ECF No. 14. Plaintiff filed a Motion for Extension of Time for Leave to File Response on July 30, 2021, ECF No. 12. CSI filed a second Motion to Dismiss or in the Alternative, Transfer on August 20, 2021, ECF No. 17.

RELATED CASES IN THIS JUDICIAL DISTRICT

Defendant submits that there are no related cases in this judicial district. In each of the 14 cases filed in WDTX by Plaintiff asserting U.S. Patent No. 8,862,508, Plaintiff has not indicated on the Civil Cover Sheet that any of the cases are related to any other case. Each of the 14 cases Plaintiff has filed in WDTX involves a different defendant, each with a different accused system.

The following are identified by Plaintiff as related cases:¹

Case Number 6:21cv00216-ADA *MCOM IP, LLC v. U.S. Bank N.A.*

Case Number 6:21cv00217-ADA *MCOM IP, LLC v. PNC Financial Services Group, Inc.*

Case Number 6:21cv00218-ADA *MCOM IP, LLC v. BBVA USA Bancshares, Inc.*

Case Number 6:21cv00325-ADA *MCOM IP, LLC v. NCR Corporation*

Case Number 6:21cv00480-ADA *MCOM IP, LLC v. First Tech Federal Credit Union*

Case Number 6:21cv00500-ADA *MCOM IP, LLC v. Wells Fargo Bank, N.A.*

Case Number 6:21cv00698-ADA *MCOM IP, LLC v. DIEBOLD NIXDORF, INC.*

Case Number 6:21cv00826-ADA *MCOM IP, LLC v. FIS GLOBAL, INC.*

Case Number 6:21cv00827-ADA *MCOM IP, LLC v. FISERV, INC*

Case Number 6:21cv00829-ADA *MCOM IP, LLC v. MX TECHNOLOGIES, INC*

IPR, CBM, AND OTHER PGR FILINGS

There are no known IPR, CBM, or other PGR filings.

NUMBER OF ASSERTED PATENTS AND CLAIMS

Plaintiff has asserted U.S. Pat. No. 8,862,508. Plaintiff has not yet served its Preliminary Infringement Contentions, wherein Plaintiff reserves the right to designate asserted claims of the Patents-in-Suit.

¹ CSI, Inc. is of the opinion that there are no related cases.

APPOINTMENT OF TECHNICAL ADVISER

The Parties do request the appointment of a technical advisor.

MEET AND CONFER STATUS

Plaintiff and Defendant conducted a meet & confer conference on September 16 and 21, 2021, by e-mail. The parties have no pre-Markman issues to raise at the CMC.

Respectfully Submitted

Ramey & Schwaller, LLP

/s/William P. Ramey
William P. Ramey, III
Texas Bar No. 24027643
5020 Montrose Blvd., Suite 800
Houston, Texas 77006
(713) 426-3923 (telephone)
(832) 900-4941 (fax)
wramey@rameyfirm.com

Attorneys for MCOM IP, LLC

CERTIFICATE OF SERVICE

Pursuant to the Federal Rules of Civil Procedure, I hereby certify that all counsel of record who have appeared in this case are being served on this day of September 25, 2021, with a copy of the foregoing via e-mail.

/s/ William P. Ramey, III
William P. Ramey, III